CCM/CONF/2015/WP.3

Review Conference of States Parties to the Convention on Cluster Munitions

4 August 2015

Original: English

First Review Conference
Dubrovnik, 7 – 11 September 2015
Item 9 of the provisional agenda
Review of the operation and status of the Convention and other matters important for achieving the aims of the Convention

Draft
Dubrovnik Action Plan

Submitted by the President-designate of the First Review Conference

Introduction

1. In 2010, at the First Meeting of States Parties in Vientiane, Lao People's Democratic Republic, the Vientiane Action Plan (VAP or the Action Plan) was adopted by States parties to the Convention on Cluster Munitions (CCM). Developed in consultation with partners with the objective to ensure effective and timely implementation of the provisions of the treaty following the First Meeting of States Parties (1MSP), the Action Plan set out concrete and measurable steps, actions and targets aimed to be completed within specific time frames over the next five-year period and with defined roles and responsibilities.

2. Drawing from the provisions of the Convention, the actions contained in the VAP were not in themselves normative requirements, but designed to gather momentum, guide and assist States parties and other relevant actors in the practical implementation of the Convention. It was argued that with such guidance States parties, together with partners, could ensure that the Convention would have an immediate impact on the ground, address current implementation challenges, react to future developments, and reflect changes in the implementation work. As such, the overall aim of the Action Plan was to support States parties in meeting their obligations. With the adoption of the Vientiane Action Plan, States parties sent a strong message on their commitment to the rapid implementation of the Convention.

3. With the objective to facilitate the preparatory process in advance of the First Review Conference of the Convention, Costa Rica in its capacity as President of the Fifth Meeting of States Parties initiated the Vientiane Action Plan Review in close cooperation with Coordinators and with the support of the interim Implementation Support Unit at UNDP. Together with the four annual progress reports to date monitoring progress in implementing the Vientiane Action Plan, the Review serves as a means to gauge the status of practical implementation of the Convention and thereby also as an opportunity t

GE.15-13139(E)

Please recycle

document to what extent the Convention has made a difference on the ground. As such, it contributes to the first Review Conference of the CCM in guiding the content for a new five-year action plan.

4. To this end, building on the VAP and the recommendations of the Review, the Dubrovnik Action Plan (DAP) seeks to carry forward the aim of ensuring effective implementation of the provisions of the CCM from the First to the Second Review Conference of the Convention.

5. Elaborated under the guidance of the President-designate of the First Review Conference, and in the capable hands of thematic coordinators and support from UNDP, the DAP has been developed in line with the expressed desire among States parties to further strengthen results by operationalizing actions, with targets aimed to be completed within specific time frames over the next five-year period, and with defined roles and responsibilities. Working Groups of Experts consisting of partners in the United Nations, the International Committee of the Red Cross, the Cluster Munition Coalition and other stakeholders have been consulted.

6. The actions contained in the Action Plan are not in themselves normative or legal requirements, but designed to gather momentum, guide and assist States parties and other relevant actors in the practical implementation of the Convention. The aim of the new Action Plan remains unchanged: to support States parties in meeting their obligations. Building on the many achievements to date and with the adoption of the DAP, States parties will reaffirm the strong message on their commitment to the rapid implementation of the Convention.

7. The Dubrovnik Action Plan establishes a list of priorities for both States parties and other implementation actors, and also serves as a tool to monitor progress. Substantively, some actions are designed as milestones to ensure timely implementation of comprehensive and resource intensive tasks. Others are designed to assist States parties in structuring their response to their commitments under the Convention.

8. In the next five years many States parties will face their respective legally stipulated deadlines on stockpile destruction and clearance of cluster munition remnants in affected areas. In 2016, States will also celebrate the 10-year anniversary of the Convention on the Rights of Persons with Disabilities. These important milestones underline the imperative of renewed energy in the implementation of the Convention enabled by a strong Action Plan.

I. Universalisation

9. One hundred and sixteen (116) States have committed to the goals of the Convention. Ninety-two (92) of them have ratified or acceded to the Convention, while twenty-four (24) still need to ratify. Seventy-nine (79) Member States of the United Nations are neither signatories nor parties to the Convention.

Action 1.1 - Increase adherence with the Convention

10. Aiming to increase the number of States parties to 130 by the Second Review Conference, States parties will:

(a) Seize opportunities in all relevant forums including, but not limited to, the United Nations Security Council, its General Assembly, Human Rights- and Economic and Social Councils, parliamentary meetings, high level, global and regional multilateral and bilateral meetings and other similar events, to engage States not yet party and promote adherence to the Convention as soon as possible.

(b) Continue outreach and engagement with States not parties in all appropriate fora, including capitals, to encourage their accession and work with signatory States to encourage prompt ratification.

Action 1.2 - Promote the universalisation of the Convention

11. In cooperating with and assisting other States in joining the Convention, States parties commit to:

(a) Enhance cooperation and partnerships among States and with other relevant partners including the United Nations, the International Committee of the Red Cross, and other international organisations, the Cluster Munition Coalition and other civil society and non-governmental organisations to promote the universalisation of the Convention and its norms.

(b) Promote relevant models of legislation and provide targeted assistance to States requiring support in the development of new national legislation to enable ratification of, or accession to, the Convention.

(c) Encourage and support States not party to join the Convention as soon as possible, including by helping States not party to find solutions to the potential obstacles and challenges they face in joining the Convention so as to facilitate their eventual adherence, as well as exchanging information on how such obstacles can be overcome.

(d) Support the efforts of States not party that share the humanitarian imperative and concerns caused by cluster munitions, in participating in formal and informal meetings in order to encourage them to become States parties to the Convention

(e) Support efforts of signatory States in their ratification process and help to find solutions to potential obstacles and challenges they may face in the process in order to facilitate their prompt ratification.

(f) Engage producer States not party in activities related to the implementation of the CCM including stockpile destruction, clearance and risk reduction, and victims assistance - to present and introduce them to the benefits of the implementation of the Convention with the aim to foster interest and eventual adherence.

Action 1.3 - Reinforce the norms being established by the Convention

12. States parties will continue to promote compliance, reinforcing the norms being established by the CCM that stigmatizes cluster munitions and promote their non-use by:

(a) Ensuring compliance through bilateral discussions, the use of the good offices of the President, and any other means consistent with Article 8, in a cooperative manner, to clarify and seek to resolve questions related to any matters of compliance.

(b) Discouraging, in every way possible use, development, production, stockpiling and transfer of cluster munitions.

(c) Calling upon those who continue to use, develop, produce, stockpile and transfer cluster munitions to cease now.

(d) Raising concern about any alleged use and condemning any instances of documented use by any actor, effectively calling on all States not party to accede to the Convention.

(e) Working as appropriate, with other stakeholders, including States not party to the Convention that have condemned or otherwise expressed concern over the use of cluster munitions generating the stigmatization of cluster munitions and promoting its non-use by any actors.

Result - Universalisation

13. By the Second Review Conference, these efforts will result in

- an increased number of States parties to the Convention;
- a decreased number of reported alleged and confirmed instances of use, with the aim to put an end for all time to the suffering and casualties caused by cluster munitions.

II. Stockpile destruction

14. Thirty-seven (37) States parties have reported that they have, or previously had cluster munition stockpiles and thereby have or had obligations under Article 3. Fourteen (14) States parties remain with obligations under Article 3. States parties have collectively destroyed over 80 per cent of reported stockpiles, well on track to complete all destruction in conformity with their respective deadlines stipulated by the Convention.

Action 2.1 - Develop a resourced plan

15. States parties with cluster munition stockpiles that have not yet done so will:

(a) Ensure to have a plan in place as soon as possible for the destruction of stocks, including an estimated completion date, national resources to be attributed, and any requirements for international support, and begin physical destruction as soon as possible.

(b) Fulfil their obligations within the deadlines provided by the Convention and ensure that the plan is in compliance with international standards relating to the protection of public health and environment.

(c) Highlight these plans in annual transparency reports and if deemed necessary, at meetings of the Convention as a measure of promoting transparency and confidence building and maintaining transparency as an important element for the full implementation of Article 3 by providing clear information on the status and progress of stockpile destruction programmes.

(d) Request support and any need of international assistance and cooperation in order to comply with obligations under Article 3 through relevant partners.

Action 2.2 - Increase exchanges of promising practices

16. States parties and signatory States that have already started, or finished the destruction of stocks are encouraged to:

Increase the exchange of information amongst themselves and expert organisations of good and cost effective stockpile destruction practices including on safety, environmental impact and efficiency. This could also include tasking the implementation support unit to draft, in consultation with States, a template for the declaration of compliance under Article 3 to be used on a voluntary basis and to maintain a list of states with practices to share.

Action 2.3 - Apply an appropriate approach to retention

17. States parties that retain or acquire cluster munitions and explosive sub-munitions under Article 3.6 will:

Ensure the amount of explosive sub-munitions does not exceed the number absolutely necessary for said purposes and shall, in accordance with Article 3.8, report regularly on the past and planned use of retained munitions.

Action 2.4 - Announce declaration of compliance on stockpile destruction

18. States parties that have fulfilled obligations under Article 3 are encouraged to:

Make an official declaration of compliance with Article 3 obligations to MSPs or Review Conferences of the Convention and in annual submissions of transparency reports under Article 7.

Action 2.5 - Act upon unexpected developments

19. States parties which may identify new, previously unknown stockpiles of cluster munitions after a declaration of compliance has been made, commit to:

(a) Report such findings without delay to meetings of the Convention and in Article 7 reports as suggested in form C.

(b) Develop without delay, plans for their destruction and destroy them as a matter of urgent priority.

Results - Stockpile destruction

20. By the 2nd Review Conference, these efforts will result in

- an increased number of States parties that finished stockpile destruction;
- increased levels of reporting on matters pertaining to Article 3 implementation, including information on the amount and planned use of sub-munitions retained;
- increased exchange of information of good and cost effective stockpile destruction practices including on safety, environmental impact and efficiency.

III. Clearance and risk reduction education

21. Sixteen (16) States parties have reported to have or had obligations under Article 4. Among them, five (5) have declared compliance with Article 4 and eleven (11) remain with obligations under Article 4.

Action 3.1 - Assess the extent of the problem

22. Affected States parties subject to obligations under Article 4 will:

(a) Endeavour to, within two years of the 1st Review Conference or two years after entry into force of the Convention for that State party, make every effort to promote clarity on the location, scope and extent of cluster munition remnants in areas under its

jurisdiction or control, drawing on survey approaches (technical and non-technical) as appropriate and needed.

(b) Note, to the extent possible, the location, scope and extent of any contamination where contaminated land is identified, allowing national authorities to make evidence-based decisions, using appropriate risk-analysis and allow for effective prioritization of ongoing clearance activities, taking into account needs, vulnerabilities as well as realities and different priorities on local and national levels, and

(c) Release land through cancellation, where no confirmed evidence of contamination is found on land previously recorded and classified as contaminated, taking into account existing standards, best practices and principles for land release. Otherwise, only confirmed hazardous areas should be recorded.

Action 3.2 - Protect people from harm

23. Affected States parties will, as soon as areas under its jurisdiction or control are known to be affected:

(a) Take all feasible steps to prevent civilian casualties by immediately developing and providing targeted and focused age, gender and ethnic sensitive risk reduction education programmes that are based primarily on an assessment of need and vulnerability and an understanding of risk-taking behaviour.

(b) Mark and fence, to the extent possible, confirmed hazardous areas as soon as possible and enforce legislation that protects the marking.

Action 3.3 - Develop a resourced plan

24. Affected States parties will endeavour to:

(a) Develop, within one year of the Review Conference or entry into force of the Convention for that State party, and start the implementation of Article 4 compliant national clearance strategies and plans based on survey results and clearance rates, taking into account best practices, international and national standards and methods.

(b) Develop and implement national clearance plans including transparent and consistent criteria for developing clearance priorities and for utilising the most appropriate survey and clearance methodologies and technologies.

(c) Identify the national resources that could be allocated to implement plans and relevant activities and explore the need to request international assistance and cooperation from the United Nations system, donor States, non-governmental organisations or other relevant entities.

Action 3.4 - Be inclusive when developing the response

25. Affected States parties will endeavour to, where appropriate and applicable,

(a) include affected communities in the development and implementation of national clearance plans;

(b) mainstream gender and age sensitiveness in the development of plans and programmes, as well as in the conduct of survey, clearance and risk reduction education and other relevant activities;

(c) involve as far as feasible, affected communities in all appropriate activities related to clearance and destruction of cluster munitions remnants, and to risk reduction education.

Action 3.5 - Manage information for analysis, decision-making and reporting

26. Affected States parties will, based on functioning databases and comparable data,

record and provide information to the extent possible on the scope, extent and nature of all cluster munition contaminated areas under its jurisdiction or control, and where applicable, report on the size and location of land released through cancellation where no confirmed evidence of contamination is found on land previously recorded as contaminated.

Action 3.6 - Provide support, assist and cooperate

27. States parties that have used or abandoned cluster munitions prior to the entry into force of the CCM, will endeavour to:

Provide technical, financial, material and human resources assistance, as well as other relevant information, where available, to facilitate clearance, when cluster munitions are located under the control or jurisdiction of another State party at the time of the CCM's entry into force for the latter.

Action 3.7 - Apply practice development

28. States parties will promote and continue to:

Explore methods and technologies which will allow clearance operators to work more efficiently with the right technology to achieve better results as we all strive to attain as quickly as possible the strategic goal of a world free of cluster munitions and its remnants, while also making full use of existing methods and technologies that have proven to be effective.

Action 3.8 - Promote and expand cooperation

29. All States parties will:

(a) Monitor and actively promote the achievement of survey and clearance goals as well as humanitarian and developmental needs by affected States parties.

(b) Identify possible means to cooperate and assist affected States parties in need.

(c) Provide international cooperation and assistance when in a position to do so, either bilaterally to affected states, organisations undertaking survey, clearance, and risk reduction education, or through the United Nations and other international organisations, and non-governmental organisations, including sufficient and predictable funding, to enable affected States parties to complete implementation of Article 4 as soon as possible and no later than their respective clearance deadlines. Cooperation and assistance among affected States parties is equally encouraged. When funding is committed or pledged, consider the possibility of multi-year funding.

(d) Coordinate efforts in support of cluster munitions survey and clearance in affected States parties, with the aim of ensuring that allocation of funds is more effective at

country level (bearing in mind the level of the problem, the needs and the humanitarian and development requirements); and appropriately distributed among the affected countries. Involve, as appropriate, relevant international and non-governmental organisations actively engaged in mine action.

Results - Clearance and risk reduction education

30. By the Second Review Conference, these efforts will result in

- a decreased number of new victims, with the aim of zero;
- increased amounts of suspected land released for subsistence, cultural, social and commercial purposes;
- better targeting of scarce clearance resources;
- larger freedom and safer movement;
- increased exchange of information of good and cost effective clearance practices including on safety, environmental impact and efficiency.

IV. Victim Assistance

31. Twelve (12) States parties have reported that they have, or have been reported to have, obligations under Article 5.

Action 4.1 - Strengthen national capacity

32. States parties with cluster munition victims in areas under their jurisdiction or control will:

(a) Strengthen their national capacity to provide assistance to cluster munition victims, without discrimination against those who have suffered injuries or impairments from other causes, and accordingly, mobilizing adequate national and international resources through existing and innovative sources of financing, bearing in mind the immediate and long-term needs of cluster munition victims. Concrete actions to that effect are:

- Designating a focal point within the government to coordinate victim assistance, if States parties have not yet done so as required by Article 5, paragraph 2, by the end of 2016.
- Ensuring that designated focal point has authority, expertise and adequate resources to develop, implement, and monitor actions to promote inclusion of victims in all relevant national policies, plans and programs.
- Collecting all necessary data, on an ongoing basis, disaggregated by sex and age, assessing the needs and priorities of cluster munition victims, establishing mechanisms to refer victims to existing services, and identifying any methodological gaps in the collection of data. Such data and needs assessment should be made available to all relevant stakeholders and be integrated into or contribute to national injury surveillance and other relevant data collection systems for use in programme planning.

(b) Review the availability, accessibility and quality of existing services in the areas of medical care, rehabilitation and psychological support, education, economic and social inclusion, and identify the barriers that prevent access.

(c) Ensure that existing national policies, plans and legal frameworks related to people with similar needs, such as disability and poverty reduction frameworks, address the needs and human rights of cluster munition victims, or adapt such plans accordingly. States parties that have not yet developed a national disability action plan should do so as soon as possible, or develop a national action plan on victim assistance, by no later than the end of 2018. This includes, inter alia:

- Coordination of actions relevant for victim assistance within existing coordination systems created under relevant Conventions including CRPD. In the absence of such mechanisms, the establishment of a comprehensive coordination mechanism, actively involving cluster munition victims and their representative organizations, as well as relevant health, rehabilitation, psychological, psycho-social services, education, employment, gender and disability rights experts.
- Development and implementation of existing international standards, guidelines, best practices, and recommendations in the areas of medical care, rehabilitation and psychological support as well as social and economic inclusion, recognizing in particular the vulnerability of women and children with disabilities.
- Identification and consideration of the needs and rights of victims other than survivors.

(d) Monitor and evaluate the implementation of victim assistance as integrated into national laws, policies, and plans, related to people with similar needs, or as a part of a national action plan, and ensure that such frameworks do not discriminate against or among cluster munition victims and those who have suffered injuries or impairments by other causes, and that cluster munition victims have access to specialized services.

- Raising awareness among cluster munition victims about their rights and available services, as well as within government authorities, service providers and the general public to foster respect for the human rights and dignity of victims, and other persons with disabilities.
- Increasing the availability and accessibility of services also in remote and rural areas so as to remove the identified barriers and to guarantee the implementation of quality services.

(e) Increase the economic inclusion of victims of cluster munitions through self- or waged employment, as well as social protection measures. This could include, for example:

- Education, training and employment incentive programs of persons with disabilities in both public and private sectors, as well as through the micro-crediting possibilities;
- developing national capacity building programs which promote the economic inclusion of victims;
- increasing opportunities for victims, particularly in remote and rural areas, to access appropriate employment and training initiatives, and to engage in productive work that delivers a fair income and security;
- creating employer incentives that support the employment of victims and other persons with disabilities, while enhancing social protection measures to ensure stability during the process of gaining employment;
- promoting the inclusion of quotas for employment of cluster munitions victims, as well as those who have suffered injuries or impairments from other causes.

Action 4.2 - Increase the involvement of victims

33. States parties with cluster munition victims in areas under their jurisdiction or control will:

(a) Include cluster munitions victims and their representative organizations actively in policy-making and decision-making in the work under Article 5 of the Convention in a manner that is gender and age sensitive, sustainable, meaningful and non-discriminatory.

(b) Include relevant experts to be part of their delegations in all convention related activities (including cluster munitions victims, and representatives of disabled person's organizations).

(c) Promote and enhance the capacity of organisations representing women, men and survivors and persons with disabilities as well as national organizations and institutions delivering relevant services, including financial and technical resources, leadership and management training and exchange programmes, with a view to strengthen ownership, the effective delivery of services, and sustainability.

Action 4.3 - Share information

34. States parties will:

Make best use of Article 7 reports, drawing on reports submitted under the CRPD as appropriate, and formal and informal fora to provide updates on these actions.

Action 4.4 - Provide support, assist and cooperate

35. States parties, in support of the implementation of Article 5, will seek to:

(a) Promote further cooperation and assistance for projects relevant to cluster munition victims through existing mechanisms, as well as increasing south-south, regional and triangular cooperation, and in accordance to Article 6 of the Convention.

(b) Facilitate the sharing of information among victim assistance focal points and other key actors, with a view to exchanging experiences and good practices.

(c) Develop, by the 2nd Review Conference, guidance on the implementation of Article 5 by a State party in response to any new cluster munition victims that may occur in future in areas under their jurisdiction or control, with a view to preventing additional victims.

Results - Victim Assistance

36. By the Second Review Conference, these efforts will result in

- an improvement in the quality and quantity of assistance provided to persons with disabilities;
- strengthened respect for human rights to all persons;
- increased exchange of information of good and cost effective practices;
- increased involvement of victims in consultations and policy-making and decisions-making processes on issues that concern them;

- increased cooperation assistance for victim assistance programmes, through traditional mechanisms, and south-south, regional and triangular cooperation and in linking national focal points and centres;
- increased demonstration of results achieved and/or expected results in Article7 transparency reports.

V. International cooperation and assistance

37. Of sixteen (16) States parties that have reported to have or had obligations under Article 4, eight have highlighted assistance needs in clearance and/or risk reduction. Of thirty-seven (37) States parties that have reported to have or had obligations under Article 3, eight have highlighted assistance needs in stockpile destruction. Of twelve (12) States parties that have reported to have obligations under Article 5, seven (7) have highlighted assistance needs to address the needs of victims.

Action 5.1 - Strengthen partnerships at all levels

38. States parties and expert organisations engaging in cooperation and assistance will:

(a) Develop and strengthen their partnerships at all levels, including south-south and triangular cooperation. including among and between states, the United Nations, the International Committee of the Red Cross, National Red Cross and Red Crescent Societies and their International Federation, international and regional organisations, the Cluster Munition Coalition and other civil society organisations, survivors and their representatives organisations.

(b) Share information and good practices, technologies, resources and expertise to implement the Convention effectively and efficiently, maximize opportunities and avoid duplications.

Action 5.2 - Communicate challenges and seek assistance

39. States parties seeking assistance according to the right under Article 6 for the fulfilment of obligations under the CCM, in particular as it pertains to Article 3, 4, 5, 7 and 9, will:

Communicate challenges and needs for cooperation and assistance for the full implementation of these obligations at the earliest possible opportunity, in meetings of the Convention and through Article 7 transparency reporting, as well as through bilateral and regional channels, and engage with States parties, and other relevant expert organizations and stakeholders, that may be in a position to assist in addressing these needs and overcoming these challenges.

Action 5.3 - Evidence base needs for better results

40. States parties seeking assistance should:

(a) Ensure that requests for cooperation and assistance are based on appropriate surveys, needs assessments and analysis, including an emphasis on gender and age specific requirements.

(b) Ensure that requests for cooperation and assistance include a focus on capacity building, at national and local level, based on appropriate identification of needs,

are clearly embedded in broader national policy and legal frameworks and consistent with international obligations.

(c) Ensure that requests for cooperation and assistance are clearly embedded in broader national policy and legal frameworks.

Action 5.4 - Take ownership

41. States parties seeking cooperation and assistance will do their utmost to:

Demonstrate high-level national ownership in fulfilling the Convention's obligations and to this end empower and provide relevant state entities with the necessary human, financial and material capacities and resources to implement these obligations.

Action 5.5 - Respond constructively to request for assistance

42. States parties and expert organizations in a position to do so, including the private sector where feasible, will:

(a) Respond promptly to requests for assistance and will identify and mobilise the necessary technical, material and financial resources and means of cooperation and assistance, at the community, the national and international level.

(b) Use all possible channels to support States parties seeking assistance and will ensure that such assistance is carried out in line with their humanitarian and development-related strategies and programming in a way to provide predictability and ensure sustainability. Multi-year partnerships of cooperation should be fostered.

(c) Develop, share and promote cost-effective, innovative and successful practices of cooperation and assistance and promote results-based programming with increased monitoring and evaluation and a closer and more systematic interaction between the donor and the recipient.

Action 5.6 - Make use of existing tools, cost efficiency and effectiveness

43. States parties seeking or in a position to provide assistance and expert organizations will aim to:

(a) Make most use of existing tools, especially Article 7 transparency reports, to present requests or offers for cooperation and assistance. Special attention should be paid to ensure that needs for and assistance available are clearly communicated.

(b) Strive for synergies, where appropriate, with other relevant instruments of international humanitarian and human rights law.

Action 5.7 - Support implementation support

44. States parties will do their utmost to:

Ensure the provisions of adequate resources for cooperation and assistance including for support provided by the ISU to facilitate implementation of the Dubrovnik Action Plan.

Results - Cooperation and Assistance

45. By the Second Review Conference, these efforts will result in

- a decrease in the number of new victims and a better quality of life for victims;
- an increased number of States parties that finish stockpile destruction in advance of their 8-year deadlines;
- a better targeting of scarce resources;
- increased technical and material assistance, transfer of skills and good practices;
- increased and improved reporting on challenges and needs for assistance;
- an increase of multi-year partnerships for cooperation including multi-year funding arrangements;
- an increase in the exchange of information of good and cost effective clearance and stockpile destruction practices including on safety, environmental impact and efficiency;
- an increase in cooperation and assistance for victim assistance programming, with the aim to ensure that victims can participate in all aspects of life on an equal basis.

VI. Transparency measures

46. Sixty-seven (67) initial transparency reports of the required 84 have been received. One (1) State party has submitted its initial and annual transparency report in advance of the CCM's deadline. Seventeen (17) States parties have yet to submit their initial Article 7 transparency report. Fifty-six (56) States parties of the required 84 have submitted one or more annual report. Twenty-eight (28) States parties have yet to submit one or more annual Article 7 transparency reports.

Action 6.1 - Report in time, initially and annually

47. States parties will fulfil their obligation to:

(a) Provide initial transparency reports under Article 7 within the timeframe stated by the Convention, especially as the initial reports are key for establishing the benchmark against which progress will be measured.

(b) Provide annual transparency reports, taking full advantage of the reporting process maximizing their potential as a tool for assistance and cooperation in implementation of the Convention, particularly where States parties must take action to destroy stockpiled cluster munitions, clear cluster munitions remnants and assist victims or take national implementation measures referred to in Article 9.

Action 6.2 - Make practical use of reporting

48. States parties will use formal and informal fora to:

(a) Provide updates on the implementation of provisions of the Convention, ensuring that updates are clearly reflected in formal annual transparency reports and in promoting these reports as practical tools for cooperation and assistance; including detailed information on time-bound plans towards treaty compliance, with special emphasis regarding obligations under Articles 3, 4 and 5.

(b) Seek support from relevant partners if in need of international cooperation and assistance to fulfil their obligations under Article 7.

Results - Transparency measures

49. By the Second Review Conference, these efforts will result in

- an increase in the rate of submissions of transparency reports provided under Article 7;
- improved quality in reporting;
- increased exchange of information of good and cost effective reporting practices;
- increased use of the reporting guide that reflects the actual need for qualitative information and represents a useful tool for States parties to submit initial reports and annual updates.

VII. National implementation measures

50. Forty-eight (48) or 52 percent of all States parties have adopted legislation specifically aimed at the implementation of the Convention or have indicated that their existing laws and regulations are sufficient to implement it. Twenty-three (23), or 25 percent of States parties have reported that they are currently in the process of adopting legislation and other implementing measures. A number of States parties have not yet shared detailed information on their implementation of the Convention in this area either through their initial and/or annual transparency reports or at formal and informal meetings.

Action 7.1 - Enact national legislation to implement the CCM

51. States parties that have not yet done so will, as a matter of priority,

review existing national legislation, regulations and administrative measures to ensure that they have appropriate measures in place to fully implement the Convention.

52. States parties will:

(a) Prioritise, where necessary, the development and adoption of new comprehensive legislative, administrative or other implementing measures in accordance with Article 9.

(b) Share information on any reviews as well as on the content and application of implementing measures in their annual transparency reports and at meetings of the Convention with the aim to share good practice and lessons learnt and as a measure of transparency.

53. States parties may wish to consider

enacting national legislation prohibiting investments in producers of cluster munitions.

Action 7.2 - Highlight challenges and request assistance

54. States parties are encouraged to:

(a) Highlight factors and challenges that may be preventing progress in the revision/adoption of national legislation in transparency reports and at meetings of the Convention.

(b) Make their needs known to States parties, the ISU, and other relevant actors in instances when assistance would be welcomed in the development/revision of implementing measures.

Action 7.3 - Raise awareness of national implementation measures

55. States parties will, as a matter of priority, take steps to:

(a) Increase awareness among all relevant stakeholders of obligations under the Convention, and of their national implementation measures.

(b) Ensure that the obligations of the Convention and their national implementation measures are disseminated to their armed forces and, as necessary, reflected in military doctrine, policies and training.

(c) Report on progress in this area in their Article 7 reports and to meetings of the Convention.

Results - National implementation measures

56. By the Second Review Conference, these efforts will result in

- all States parties being in compliance with Article 9 and have reported on national implementation in formal meetings of the Convention and through Article 7 transparency reports;
- all relevant national actors, including armed forces being informed of obligations under the Convention and of national implementation measures including as a result of their reflection, where necessary in military doctrine, policies and training.